

HOUSE BILL No. 1061

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-13-1.

Synopsis: Dental hygiene practice. Allows a dental hygienist to practice under prescriptive supervision in: (1) a dental office if the patient has a current medical history on file and has received a comprehensive oral examination within the previous year; or (2) a setting where a prescription for care has been issued by the dentist within the previous 90 days. (Current law allows a dental hygienist to practice under prescriptive supervision if a dentist has examined the patient and has prescribed the patient care within the previous 45 days.) Removes certain provisions that allow a dental hygienist to practice in specific settings. Allows a dental hygienist to administer nitrous oxide under the direct supervision of a licensed dentist.

Effective: July 1, 2014.

Frizzell

January 7, 2014, read first time and referred to Committee on Public Health.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1061

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-13-1-2, AS AMENDED BY P.L.134-2008,
2 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 2. As used in this article:
4 (a) "Dental hygienist" means one who is especially educated and
5 trained in the science and art of maintaining the dental health of the
6 individual or community through prophylactic or preventive measures
7 applied to the teeth and adjacent structures.
8 (b) "License" means the license to practice dental hygiene issued by
9 the state board of dentistry to dental hygienist candidates who
10 satisfactorily pass the board's examinations.
11 (c) "Board" means the state board of dentistry established by
12 IC 25-14-1.
13 (d) "Proprietor dentist" means a licensed dentist who is the owner
14 and operator of the dental office in which ~~he~~ **the licensed dentist**
15 practices the profession of dentistry and who employs at least one (1)
16 dentist or dental hygienist to supplement ~~his~~ **the licensed dentist's**



operation and conduct of ~~his~~ **the licensed dentist's** dental office.

(e) "Employer dentist" means a proprietor dentist who employs at least one (1) dental hygienist to supplement ~~his~~ **the proprietor dentist's** dental service to ~~his~~ **the proprietor dentist's** clientele.

(f) "Referral" means a recommendation that a patient seek further dental care from a licensed dentist, but not a specific dentist.

(g) "Screening" means to identify and assess the health of the hard or soft tissues of the human oral cavity.

(h) "Public health setting" means a location, including a mobile health care vehicle, where the public is invited for health care, information, and services by a program sponsored or endorsed by a governmental entity or charitable organization.

(i) "Direct supervision" means that a licensed dentist is physically present in the facility when patient care is provided by the dental hygienist.

(j) "Prescriptive supervision" means that a licensed dentist is not required to be physically present in the facility when patient care is provided by the dental hygienist. ~~if a licensed dentist has examined the patient and has prescribed the patient care within the previous forty-five (45) days.~~

SECTION 2. IC 25-13-1-10, AS AMENDED BY P.L.134-2008, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. (a) A licensed dental hygienist may practice dental hygiene in Indiana in the following:

(1) A dental office ~~or clinical setting, except as described in subdivisions (3) through (5);~~ where the dental hygienist is practicing under:

(A) the direct supervision of a legally practicing dentist; ~~or~~
(B) **the prescriptive supervision of a legally practicing dentist, if the patient has a current medical history on file and the patient has received a comprehensive oral examination within the previous year.**

(2) A dental school or dental hygiene school to teach and demonstrate the practice of dental hygiene if direct supervision by a licensed dentist is provided for training on providing local anesthetics by injection.

(3) ~~The dental clinic of any public, parochial, or private school or other institution supported by public or private funds in which the licensee is employed by the state department of health or any county or city board of health or board of education or school trustee or parochial authority or the governing body of any private school~~ **Any setting** where the dental hygienist is practicing under



the direct or prescriptive supervision of a licensed dentist. **However, if the dental hygienist is practicing under prescriptive supervision, a prescription for care must have been issued by the dentist within the previous ninety (90) days.**

(4) The dental clinic of a bona fide hospital, sanitarium, or charitable institution duly established and being operated under the laws of Indiana in which the licensee is employed by the directors or governing board of such hospital, sanitarium, or institution. However, such practice must be under the direct or prescriptive supervision at all times of a licensed dentist who is a staff member of the hospital or sanitarium or a member of the governing board of the institution.

(5) A:

(A) fixed charitable dental care clinic;

(B) public health setting; or

(C) correctional institution;

that has been approved by the board and where the dental hygienist is under the direct or prescriptive supervision of a licensed dentist.

(b) A licensed dental hygienist may provide without supervision the following:

(1) Dental hygiene instruction and in-service training without restriction on location.

(2) Screening and referrals for any person in a public health setting.

SECTION 3. IC 25-13-1-10.6, AS AMENDED BY P.L.103-2011, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10.6. ~~(a)~~ A licensed dental hygienist may administer local dental anesthetics, **including nitrous oxide**, under the direct supervision of a licensed dentist under IC 25-14 if the dental hygienist has:

(1) completed board approved educational requirements, including cardiopulmonary resuscitation and emergency care training; and

(2) received a board issued dental hygiene anesthetic permit.

~~(b) Local dental anesthetics do not include nitrous oxide or similar analgesics.~~

